



# MINUTES

## New Iowans Study Committee

November 21, 2005

### MEMBERS PRESENT:

Senator Joe Bolkcom,  
Co-chairperson  
Senator Paul McKinley,  
Co-chairperson  
Senator James Hahn  
Senator Jack Hatch  
Senator Matt McCoy  
Senator Maggie Tinsman

Representative Mary Lou Freeman,  
Co-chairperson  
Representative Debra Berry  
Representative George Eichhorn  
Representative Wayne Ford  
Representative Jodi Tymeson

## MEETING IN BRIEF

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- I. Procedural Business.
- II. Opening Remarks — Committee Member Comments.
- III. Committee Discussion — Consensus  
Recommendations  
to General Assembly.
- IV. Materials Filed With the Legislative Services Agency.



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### I. Procedural Business.

**Meeting Times.** The November 21, 2005, meeting of the New Iowans Study Committee was called to order by Temporary Co-chairperson McKinley at 10:10 a.m., Monday, November 21, 2005. The meeting was held in Room 116 of the State Capitol. The meeting was adjourned at 3:14 p.m.

**Co-chairpersons — Rules.** The Committee elected Senator Bolkcom, Senator McKinley, and Representative Freeman Co-chairpersons of the Committee. The Committee adopted rules and approved the minutes from each of the four public hearings held in Des Moines, Storm Lake, Ottumwa, and Davenport.

### II. Opening Remarks — Committee Member Comments.

**Co-chairperson McKinley.** Immigrants made Iowa and Iowa welcomes immigrants.

**Co-chairperson Bolkcom.** Iowa needs to reach out to newcomers to Iowa. The state's future is tied to welcoming newcomers. Current federal immigration policy is broken and needs to be fixed. Barriers remain for newcomers, with language being the key barrier, and we need to take steps to remove these barriers.

**Co-chairperson Freeman.** The public hearings highlighted the fact that many persons have a passion to help new Iowans and we need to work with these persons.

**Representative Ford.** Iowans are making a good start at the state and local level in addressing the needs of new Iowans. Many issues confronting new Iowans today had to be dealt with by the African-American community in the past. Policymakers need to ensure that law enforcement personnel do not engage in "racial profiling" of the Latino community. Policymakers also need to take steps to protect Latinos from sexual harassment in the workplace.

**Senator Hahn.** ESL instruction is critical and this language instruction needs to be extended to the parents. Policymakers need to make sure that any new programs for new Iowans are integrated into existing programs and are not merely duplicative of these existing programs.

**Senator Tinsman.** Human trafficking is a growing problem in the United States and Iowa and we need to adopt a law against this at the state level.

**Senator McCoy.** Workforce concerns are critical and need to be addressed. Iowa's population growth is stagnant and aging and we need new workers to grow Iowa. New Iowans can be an important source of new workers but government must ensure that they are not exploited. While immigration policy at the federal level needs reform, Iowa needs as a state to try and assist these new Iowans.

**Representative Berry.** Her primary concern is that federal immigration policy needs to be reformed. Policymakers also need to look at alleviating the language barrier for new Iowans.

**Senator Hatch.** Federal immigration policy is a mess and needs reform. Immigrants are key for Iowa's future and ESL instruction is critical for these new Iowans to become successful.



### **III. Committee Discussion — Consensus Recommendations to General Assembly.**

#### **A. Human Trafficking.**

**Committee Discussion.** Senator Tinsman discussed this issue with the Committee. She noted that while there has been a federal law against human trafficking since 2002, federal law enforcement agencies cannot possibly deal with this issue throughout the United States and state action is needed. Nine states, including three Midwest states, have made human trafficking illegal. Senator Tinsman further commented that a violation of the law should be a felony, victims need to be protected, communities need to be aware of the problem, and law enforcement personnel need to be trained as to this issue.

**Consensus Recommendation.** A state law prohibiting human trafficking should be adopted.

#### **B. Hiring Incentives for Bilingual Persons.**

**Committee Discussion.** Co-chairperson Bolkcom stated that incentives should be created for recruitment of bilingual public safety personnel. After some Committee discussion, it was agreed that incentives for recruitment of bilingual medical services personnel should also be created. The Committee noted the success of the program to create incentives for medical doctors to locate in rural Iowa and thought this approach might be a useful model.

**Consensus Recommendation.** Incentives should be used to attract bilingual public safety officers and medical personnel.

#### **C. English as a Second Language (ESL) Funding.**

**Committee Discussion.** Co-chairperson Bolkcom moved that the Committee recommend that the Legislature increase the duration of ESL funding for K-12 education from three years to five years, with a goal of seven years of funding. Senator Hatch and Representative Ford both noted the existence of the "English as the official language" law in Iowa and commented that we need increased funding to end the barrier of communication. Representative Tymeson cautioned that we need to consider all approaches related to ESL funding so as to best meet the goal of increasing English proficiency. Senator Hahn noted that language instruction is also needed for nonstudent new Iowans. Representative Freeman noted the success of the Early Start Program in Storm Lake, which helps preschool children and their parents learn English. Representative Freeman then moved a substitute motion concerning ESL funding which was adopted by the Committee by consensus.

**Consensus Recommendation.** Increase funding for preschool, after school, and adult ESL education and recommend increasing K-12 ESL funding from three to five years.

#### **D. Interpreter Standards.**

**Committee Discussion.** Representative Freeman noted that efforts are underway by the judicial system and the Commission of Latino Affairs to deal with certified interpreters. Representative Eichhorn noted that there has been legislation concerning interpreter standards for the hearing-



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impaired and Latinos and that administrative rules are being developed concerning this issue. The Committee decided that the efforts to develop administrative rules should be encouraged.

**Consensus Recommendation.** The Committee encourages those involved to continue making progress in establishing interpreter registration standards.

### E. Comprehensive Identification System.

**Committee Discussion.** Senator McCoy stated that the Iowa Department of Homeland Security, in coordination with the Department of Transportation, Department of Public Safety, Insurance Commissioner, Department of Revenue, Department of Human Rights, and Civil Rights Commission, should study the issue of identification and tracking of undocumented Iowans, especially as it relates to tracking Iowans for state compliance with driving and compulsory insurance laws and to develop proposals for legislative consideration. Possible recommendations from this study could include development of a database or providing identification cards to all Iowans.

Senator McCoy noted that the issue is bigger than the Legislature. Senator Hatch noted that businesses, the insurance industry, the undocumented, and law enforcement all agree that some form of identification is needed. Senator Hatch commented that the issue is very political, making it imperative that the manner of finding solutions be depoliticized to the greatest extent possible so that meaningful recommendations can be developed. Senator Tinsman expressed concern over tracking people through a database. Some members of the Committee thought legislative action is not necessary as the Governor has the ability to convene this study while others questioned whether the Iowa Department of Homeland Security should be the lead agency directing this study. Senator McCoy stated that the General Assembly needs to direct the Governor to start this effort and to not wait. Other Committee members thought private industry and commerce should be involved if any task force or commission is established.

Representative Eichhorn commented that commerce for undocumented persons is difficult, yet the issues involved with developing any system of identification are complex. Senator McCoy noted that solutions to the issue of identifying undocumented persons need to be developed. Senator Hatch further noted that this issue needs discussion and the need for identification, particularly as it relates to health care for children, is evident. After considerable Committee discussion and reworking of a possible recommendation, the Committee adopted a consensus recommendation on this issue.

**Consensus Recommendation.** Encourage the Governor to develop a task force that would include state agencies, private industry, and commerce that would make a recommendation to the General Assembly on how to address the public safety problems created by the lack of a comprehensive identification system and racial profiling.

### F. Immigration Reform.

**Committee Discussion.** Representative Berry commented that federal immigration policy needs to be reformed.



**Consensus Recommendation.** Encourage the United States Congress to reform federal immigration policy.

### **G. Professional Licensure for Immigrants.**

**Committee Discussion.** Senator Tinsman noted that obtaining professional licenses for immigrants continues to be slow and cumbersome. Although a process exists to provide this licensure and the applicable professional licensing entities are looking into this issue, progress still needs to be made.

**Consensus Recommendation.** The General Assembly should continue to monitor the efforts to streamline the process where eligible legal immigrants can obtain a comparable professional license in Iowa.

### **H. Licensure of Bilingual Instructors.**

**Committee Discussion.** Representative Tymeson stated that the Department of Education and the Board of Educational Examiners should develop a proposal to look at alternative licensure for bilingual persons interested in teaching. Co-chairperson Bolkcom agreed with the need to look for ways to hire more minority teachers but thought that the proposal should be limited to licensure of bilingual persons for language instruction. Representative Tymeson agreed to modify her proposal.

**Consensus Recommendation.** Direct the Department of Education and the Board of Educational Examiners to develop a proposal for alternative licensure for bilingual persons interested in providing language instruction.

### **I. Mentoring Program.**

**Committee Discussion.** Co-chairperson McKinley discussed the need to make every effort to keep young Iowans in the state, including new Iowans, and the possibility of establishing a mentoring program in local communities. Representative Ford noted that if such a program is established, the state needs to formally recognize those local communities with effective mentoring programs.

**Consensus Recommendation.** Encourage local communities to develop a mentoring program for all young persons, including new Iowans.

### **J. Higher Education Assistance.**

**Committee Discussion.** Co-chairperson Bolkcom noted that children of undocumented persons who are educated in this state confront significant barriers in attending higher education in this state. Co-chairperson Bolkcom noted that we need to provide opportunities to allow these young people to attend college and only pay in-state tuition. The Committee noted that the House has passed an Iowa version of proposed federal legislation referred to as the DREAM Act (Development, Relief, and Education for Alien Minors Act), which provides in-state tuition to eligible alien minors. Co-chairperson McKinley noted that the proposed Iowa legislation has stalled in the state Senate Committee on Education and that concerns have been raised as to whether this proposed legislation may violate federal law.



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**Consensus Recommendation.** While understanding the legal issues involved, the General Assembly should invest in the education of young Iowans educated in this state and consider passage of the Iowa version of the DREAM Act.

Co-chairperson McKinley declined to support the recommendation to pass the Iowa version of the DREAM Act based upon the legal concerns raised by members of the Senate Committee on Education.

### **IV. Materials Filed With the Legislative Services Agency.**

The following materials were distributed at or in connection with the meeting, are filed with the Legislative Services Agency, and may be accessed from the "Additional Information" link on the Committee's Internet page:

<http://www.legis.state.ia.us/aspx/Committees/Committee.aspx?id=75>

- "Immigration Reforms in Iowa," submitted to the Committee by Senator Jack Hatch.

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